PRESIDENT'S MESSAGE.-We devote a large portion of our space to-day to the Message of President Buchanan, accompanying the Kansas Constitution, with an application for admission to the Union. We take it for granted that it will be generally read, and that no one will find fault with us for devoting to it the space which it

We have no desire to bore our readers or ourto an item or two in the Herald of Saturday.

mission of Kansas with the Lecompton Constitution.

We share the regret of the Herald, that we did not hear the opening remarks of Mr. McRae's speech on Thursday night. We lay no claim to stoical indifference This is a manifest wrong to us—a taking and using our of the North Pole to help make mint juleps of. A disor churlish disregard of the good opinion of others. We property for nothing, and apparently without any de- tinguished politician of this State has been offered a appreciate, at their due value, any compliments which sign to make any compensation. Our only consolation highly profitable engagement—his manners are so cold friends or opponents may be pleased to bestow upon our is, that, although these cases are sufficiently numerous that he diffuses an icey atmosphere around him, and his course; but while such compliments, in and by themselves, may be grateful to our feelings, they cease to be so as soon as they are paid at the expense of our breth ren of that Democratic press with whom we have stood shoulder to shoulder for years. Side by side with the Democracy. We have seen these principles down-trodden in North Carolina, and we now see them triumphant. Side by side with the Standard, and the Democratic press of the State generally, have we fought the fight with the legions of Know-Nothingism, and we have not neglected us, but who have come up like men, when noforgotten that struggle. In that struggle-in the struggle for the election of Frank. Pierce, or James Buchanan, we cannot recollect having heard the voice of Mr. McRae. He was sick or absent. Here, at the South, we who bore the heat and burthen of the day, appealed in all honesty and sincerity to the old line Whigs; aye, and to those who have joined the order, too, to come up and secure the union of the South against Fremont, and of that gentleman's political position, which is all that the South was united and the victory was won, and now Mr. McRae, who viewed the struggle from afar off, comes forward to compare those gallant gentlemen who joined us to rats-rats leaving the sinking ship of Know-No- in an unfriendly spirit. But if we have a pride of any thingism, to get cheese. Such was his simile on Thurs- kind that pride is enlisted in favour of our profession. day night! Surely, this is unkind to us, and to those There ought to be an esprit du corps among the edito-

about the "old song of the Raleigh Register," in connection with Mr. McRae's reference to the Editor of the Raligh Standard. Now, we have enquired, and, we think, learned accurately, the tenor of Mr. McRae's remarks in this connection, and we feel assured that the once in the Raleigh Register. With the personal differences of Messrs. McRae and Holden, we have nothing to do, and as little desire to interfere. We do not care to repeat the charges made by Mr. McRac. Let all that pass, so far as we are concerned. It is certainly painful to our feelings to find ourselves compelled, against our personal wishes, to uniformly oppose Mr. McRae's position. The first speech we ever heard him make was at the Masonic Hall, in Wilmington, where he broached theories repudiated by his Democratic friends; and again at the Court House. And again he comes forward in his defence in I858. Mr. McRae speaks well when attacking the position of his own party in North Carolina. We would like for once to hear what sort of speech he would make in its favor. But we have never heard such a speech from him. In times gone by, Mr. McRae did yeoman's service for his party, we believe, but in the struggles of later years-those struggles which resulted in victory, his voice was not heard nor his arm felt. Can we join him now in sneering at those who did rally on our forces, or at those who came up to vote for admission. So close will the vote be that every our assistance in the hour of danger?

Another paragraph or two, and we will close. The Herald thinks our quotation from Mr. Calhoun irrele vant. He (Mr. Calhoun) asserts, and Mr. Clay admits, that Congress has no right to impose and collect taxes for the purpose of distributing their proceeds among the States. The public lands have either been acquired by cession from the original States, or by purchase. All authorities agree that the original cessions create a trust which the United States is not at liberty to abandon or transfer. The money for the different purchases came out of the treasury. It was money that could not be distributed among the States. By what potent alchemy could its character be changed by its investment in lands. Could the holder of certain monies in trust for special purposes take and invest these monies in other property, then dispose of this property for purposes for which he is forbidden to use the purchase money? If mit Kansas on her present application, and thus remove he could, it would be whipping the devil around the the discussion of Kanzas matters from the arena of the stump in a very barefaced manner. The absurdity of the distinction attempted to be drawn by the Herald, is

But our railroads are to be built by money taken out of the Federal Treasury. The Federal Treasury wants every cent it can get, and every cent taken out by distribution must be returned by taxes. Who pay these taxes? The consumers of North Carolina and of the other States, so that, after all, we would only be making the General Government our tax-gatherer for our own works-we would indirectly be inaugurating a system of public improvements by the General Government.

We do not suppose that all men can see everything in cannot. There must be some yielding for the sake of tures, over four hundred thousand dollars. harmony. We have no wish to push this question where it is not pushed upon us. It may create an excitement these times, for a city which, but yesterday was but a here in North Carolina-it may even disturb our har- small town. mony for a time, with no practical effects in the Union. Knowing this, we would let it alone if we could. This we are not permitted to do, and we meet the issue since it is forced upon us. We desire to meet it courteously —to impinge rudely upon no man's private notions upon the matter, but to endeavor to prevent the party of the South being unnecessarily divided upon an issue which can result in producing no practical effect for good, and may jeopardize much for which we have been laboring.

Perhaps we had better correct a slight inacuracy in our article of Saturday. It was at Rockingham, Richmond county, that Mr. Leake made the avowal reported by the correspondent of the Raleigh Register-not in Anson county, as inadvertently stated by us.

## Sudden Death.

On last Sunday afternnoon or evening, a gentleman who registered his name as "R. L. Bandy, Florida," died at the Carolina Hotel, in this place. He had arrived here on Friday, and talked of starting off this morning. He was a stout, hearty looking man, apparently about fifty years of age-had very large beard and moustaches, and stated in conversation that he was engaged in stock raising not far from Tampa Bay.

Sometime in the course of the afternoon, he retired to his room, we think complaining of feeling dull. At supper time some one-perhaps some of the servants-went up to arouse him and found him dead. Coroner Hartsfield impannelled a jury of inquest, who came to the conclusion that he came to his death from congestion of the of types-on clear white paper, and generally looking Joseph Chason, Wm. Kinlaw, Amistead Singletary, heart and lungs. An examination of his clothes and well. William A. Walsh, Editor and proprietor. Mr. Isaac Wilkins, John Ivey and Bunyan Meares, who com- May last, he informed them that "under our practice the prebaggage revealed no papers, letters or memoranda, giving Walsh makes a good paper, and one which ought to be the hotel book. He had only three dollars in money .-

but that may have been accidental. Mr. Daniel McLeod, of Moore county, was enough to stand by itself. drowned in the factory pond at Rockingham, Richmond oner, whose report was as above.

renders the postmaster guilty of such neglect liable for the amount of the subscription.

view, have been sending off bills to all our subscribers occupies. The President decidedly recommends the adespecially those at distant points, informing us that such and such an one-A, B or C, as the case may be-to within the period of our natural lives. selves, with many more long disquisitions upon the pub- whom the Journal has been going for some years, cerlic lands-not, at least, for the present. We merely refer tainly to the amount of several dollars, has gone offout and get rid of such patrons the better.

We would notify postmasters of their responsibility, will they keep cool? Raleigh Standard have we warred for the principles of and of our intention to enforce it. Publishers ought

> to many, very many, old friends, who had thoughtlessly julens. tified of the amount of their liabilities. We trust they all will do so promptly-at their earliest convenience. We believe they will. They are good men and true.

We feel assured that our neighbor of the Herald has no desire to either impute or impart anything of a personal character to our discussion of the question of the public lands, or our reply to Mr. McRae, or our notice have discussed or feel inclined to discuss. Personally and apart from his political position, we have no wish to say a word about that gentleman-nothing certainly rial fraternity, without distinction of party, and that The Herald speaks about our "fling" at Mr. McRae ought to prompt editors, not support each other when wrong, but surely not lightly to take part against other without due examination. We appreciate, as we have said before, every compliment which our humble, but, we believe, consistent and conscientious course may receive, but we repeat that the pleasure derived from such compliments is much lessened, if not totally destroyed when it is coupled with a reflection on our breth-

We do not quite agree with our friend of the Comhim that neither deposit nor distribution are practical energies of the people of this section of the State should issues, or likely to be so. Other real issues of vital importance are pressing upon us and we are content, for the present at least, to rest our argument on the distribution question on what we have already advanced

KANZAS AND CONGRESS .- The Message of the President of the United States, accompanying the Lecompton Constitution was expected to have been sent in to both Houses yesterday, or if not yesterday it will go in today, perhaps is being read as our paper goes to press .who go with the administration are sanguine-so are the opponents of the Lecompton Constitution. The struggle will be in the House-the Senate will, no doubt, man is canvassed—his predilections noted—the changes of influencing him calculated. We hardly think that the debate upon this matter will be a protracted one .-It has already been debated in advance. The only cause likely to produce delay, will be the mutual uncertainty as to the result—the fear of making a premature risk | MR. A. J. MOTT, while either party sees any chance of strengthening its position by a single vote.

It is now too late to multiply words on this Kansas June 12- " affair. We have before remarked, more than once, that had we been citizens of Kansas or editors in Kansas as we are in North Carolina, we should have felt ourselves called upon to urge a different course of procedure from that pursued by the Lecompton Convention-but right or wrong, we feel it to be a Kansas question, and not a North Carolina one, nor a Congressional one, and we therefore think that it is right and expedient now to adnation or of Congress.

We are not sanguine, but we are hopeful that Kansas will go through the House, although the vote will unquestionably be close. We sincerely trust that it will. It may be that parties in Kansas cheat each other .-Well, we can't help them, give them, say we, the sovereign right to fight their local fights as they please, so they don't disturb the balance of the Union.

Daily Journal 3d inst. Memphis, Tennessee, is certainly "coming out." We notice in the Bulletin. of January 19th, a glorious description of a new hotel to have been opened there on the 1st February, called the Gayoso House, which has the same light-all members of the Democratic party even cost, as it stands, including grounds, buildings and fix-

We hope it will pay, but it looks like a big sum in

than, the big twenty thousand ton steamer has already well armed, with single and double-barrelled guns, and, in their own way without an express authority from Conno Dry Dock on earth big enough to repair her; and to eight negroes rose up and fired upon them. They were It is impossible that any people could have proceeded build one would cost more than she is worth. And yet, then fired on by the whites and two of them killed .-Hon. A. Dudley Mann's project for uniting the Chesa- Major, a negro man belonging to John W. Alford, Esq., ascertain whether it was the desire of the people to be repeake Bay with Milford Haven, was based upon such of Robeson county, was shot dead, and a negro belongpeake Bay with Milford Haven, was based upon such of Robeson county, was shot dead, and a negro belong-government. For this purpose, the territorial legislature, immense vessels as the Leviathan, running from Norling to John C. Baker, Esq., of Bladen, has been found in 1855, passed a law "for taking the sense of the people of folk, which, commercially, is no where, to Milford Ha- dead since then, ven, which is even worse. A fine imagination.

INDEFINITE SUSPENSION .- The issue of the Clinton Independent of this date announces the indefinite suspension of that paper. If not personally disposed of, the office will be sold at public auction on the 6th instant. The hard times press with as much severity upon the publishers as upon the rest of mankind. We regret the discontinuance of the Independent. It afforded our Sampson county friends an organ for their local county party went in and found their camp about three-fourths news, and we frequently found in its columns items of interest in regard to the doings or our friends in that

us enlarged and improved—in a new and handsome suit

Allen, Simeon Allen, William Wilson, Thomas Wilson, fifty-one voters were registered. Governor Walker did his information in relation to him, beyond the registry on liberally supported by the Democracy of its section .-We sincerely trust that it may be, but why will Mr. A handkerchief was found marked with a different name, W. sandwich it in, club it up, and confound it generally with all sorts of Northern Magazines? It is good

county, N. C., on Tuesday, the 26th ult. His body Esq., of Wilmington, is to lecture before the Cheraw they had a flag also. was found on Friday and an inquest held by the Cor- Lyceum, on some day during the present month—the precise day not being yet fixed.

The weather is an institution -it does great The law requires postmasters to notify the editors of things for the newspaper writers and the dealers in small papers going to their offices when such papers are not talk; but of all the weather that ever was weather, or ing. We have a winter that is not a winter-a winter We have been endeavoring to get our business up to that ruins the credit of goose bones and Lieut. Maury, a cash basis, or as nearly so as possible, and, with this for both these distinguished authorities prognosticated cold-very cold-excessively cold confoundedly coldand others who are in arrears to us. Since doing so, d-cidedly cold weather. In fact, the gallant Lieutenwe have received a number of letters from postmasters, ant foretold forty cold winters right on end, causing most of us to despair of ever seeing another mild winter from the difficulty of inducing the American people to real-

And then, how the weather tables come out, and the memory of the oldest inhabitant is racked to find a pardon't remain in the neighborhood any longer-hasn't able. "Did you ever?" "No, I never." That's so. called for his paper from such a time, etc., although no We never did. No ice in Boston. Expeditions now such news reached us until payment was demanded .- fitting up to the Arctic regions to bring home chunks to unjustly deprive us of a portion of our earnings, presence would, no doubt, so far lower the temperature which we ought to have, they are not the rule with our in Wenham Lake, as to produce solidification. Ice we subscribers, but the exception, and the sooner we find must have, for next summer will be a scorcher sure as fate. What will the candidates do without ice? How

P. S. We are happy to see from some of our very renot to be looked upon as fair game for impositions to be cent exchanges, that they are gathering some ice at the North, and that, with the assistance of the North Pole, We conclude this notice by returning our compliments | there may vet be a chance for the candidates and mint Daily Journal 1st inst.

> The Raleigh Register of this date. (February 3d,) earnestly appeals to "The Whig and American Press of North Carolina" to support Mr. McRae for Goveror. It says it has thought deeply over this matter, and t has had the counsel and advice of the "old head" of its party. The Register says that it is a game by which the opponents of Democracy must gain and caunot lose. It says that a regular "Whig and American candidate" would have no sort of chance,—the only hope is to get a man who might use the name of Democracy to get from the Democratic party a vote, which, added to the Whig and American vote, would "elect him triumphantly," &c., &c. We refer to this matter to show Democrats the way the wires are working, and who are working

## Moore's Creek.

Upon the whole, there would appear to be an indis position to press the celebration of the now approaching anniversary of the Battle of Moore's Creek Bridge. It is feared that, under the present state of affairs, the attempt, if made, would fall below the standard of success which has heretofore been reached. It is carnestly desired that the next celebration should be rendered memorable by the inauguration of a fitting monument to commemorate the men and the deeds of that occasion. mercial in all that he advances, but we do agree with It would seem to be the general wish that the patriotic be concentrated on the monument, and their patriotic liberality displayed on its behalf. Let the Committee bestir themselves, and the people generally respond.

We see by the last North Carolina Presbyterian that ts talented Senior Editor, Rev. Geo. McNeill, has been making a trip to Davidson College and the West, from which he writes a pleasant and genial letter to the Presbyterian. This reminds us that we enjoyed the pleasure of a visit this week from our respected cotemporary, whom we found to be an agreeable, unaffected gentleman. The contest upon it will be sharp and decisive. Those It is no more than the truth when we say that since meeting Mr. McNeill, we feel an fresh interest in the Presbyterian, and an additional motive for wishing it

> An alarm of fire was made about 12 o'clock yesterday. We learn that it proceeded from the burning of a chimney at the residence of Mr. R. J. Jones, on Market street. No damage done.

Easy Way to Pay Printers' Bills.

To FULTON & PRICE, Dr. April 6—To Advertising Administrator's Notice,.....\$1 25 \$25 reward for Jack ....

Land for sale on 7th August, · Subscription Weekly Journal from 23d 

STATE OF NORTH CAROLINA, | February 2th, 1858

Sir: Please to take notice, that at our next Court of Please and Quarter Sessions, to be held for the county of New Han of March next, I shall move the Court to be permitted to take he benefit of the law for the relief of honest debtors, in such cases made and provided; and thereby discharge myself from arrest in a case then and there to be returned, wherein Alex. MacRae plaintiff and I am defendant. Yours respectfully.

A. J. MOTT.

For the Journal. Rout of the Bly Swamp Negroes.

Messes. Editors: For several years past a band of runaway negroes, numbering at various times from six revolutionary constitution. They would have done this, not to ten, has infested the Big Swamp, lying between Bla- of the Lecompton constitution, but simply because they have den and Robeson counties, just below Smith's Bridge, on the road leading from Elizabethtown to Lumberton. You will remember that twelve or eighteen months ago, an attempt to capture them was made by citizens to the Topeka usurpation, or adopt the necessary measures whom it immediately concerned, every patriot anxiously extension county and Mr. David Lewis one of the party, was killed by them.

On last Tuesday, the 26th January, a party of men Bladen, made a descent upon these negroes, and quite a A Losing Business.—The launching of the Levia- fight ensued. The negroes, 8 or 10 in number, were constitution of the United States;" and then to say that they

-supposed mortally.

The negroes were pursued for a considerable distance subverting the territorial government. down the run of the swamp, but the majority of the number succeeded in making their escape.

of a mile in the swamp. They had a large house, well shingled over; a smoke house; a dairy; fattening hogs, and all other things in the housekeeping line.

Great credit is due to Messsrs. Noah Mercer, J. W

I believe most or all of these negroes were outlaws. Yours, &c.,

PRESIDENT'S MESSAGE. To the Senate and House of Representatives

I have received from J. Calhoun, Esq., president of the and a neglect to do so within a limited number of weeks est weather—it is unexampled—it is remarkable—it is tified by himself, of the constitution framed by that body, peculiar-it is eminently talkable-about-it is interest to the consideration of Congress, "with the view of the admission of Kausas into the Union as an independent state." In compliance with this request, I herewith transmit to Congress, for their action, the constitution of Kansas, with the ordinance respecting the public lands, as well as the letter of Mr. Calhoun, dated at Lecompton on the 14th ultimo, by which they were accompanied. Having received but a single copy of the constitution and ordinance. I

A great delusion seems to pervade the public mind in re-

lation to the condition of parties in Kansas. This arises

ize the fact that any portion of them should be in a state of rebellion against the government under which they live. mercly to the existence of two violent political parties in that Territory, divided on the queston of slavery, just as we augurationspeak of such parties in the States. This presents no ade quate idea of the true state of the case. The dividing line here is not between two political parties, both acknowldg. ing the lawful existence of the government; but between those who are loyal to this government and those who have endeavored to destroy its existence by force and by usurpation-between those who sustain and those who have done all in their power to overthrow the territorial government established by Congress. This government they would long since have subverted had it not been protected from their assaults by the troops of the United States. Such has been the condition of affairs since my inauguration. Ever since that period a large portion of the people of Kansas have been in a state of rebellion against the government, with a military leader at their head of a most turbulent and dangerous character. They have never acknowledged, but have constantly renounced and defied the government to as a nation. We acknowledge no master but the law; and which they owe allegiance, and have been all the time in a should we cut loose from its restraints, and every one do state of resistance against its authority. They have all the time been endeavoring to subvert it and to establish a revo- hopeless. lutionary government, under the so-called Topeka constitution, in its stead. Even at this very moment the Topeka legislature are in session. Wheever has read the correspondence of Gov. Walker with the State Department, recently communicated to the Senate, will be convinced that this picture is not overdrawn. He always protested against the withdrawal of any portion of the military force of the United States from the Territory, deeming its presence absolutely necessary for the preservation of the regular government and the execution of the laws. In his very first despatch to the Secretary of State, dated June 2, 1857, he says: "The most alarming movement, however, proceeds from the assembling on the 9th June of the so-called Topeka legislature with a view to the enactment of an entire code of laws. Of course, it will be my endeavor to prevent such result, as it would lead to inevitable and disastrous collision, and, in fact, renew the civil war in Kansas." was with difficulty prevented by the efforts of Gov. Walker; but soon thereafter, on the 14th of July, we find him requesting Gen. Harney to furnish him a regiment of dragoons o proceed to the city of Lawrence-and this for the reason that he had received authentic intelligence, verified by his own actual observation, that a dangerous rebellion had occurred, "involving an open defiance of the laws and the establishment of an insurgent government in that city.' In the governor's despatch of July 15th he informs the Secretary of State "that this movement at Lawrence was the beginning of a plan, originating in that city, to organize insurrection throughout the Territory; and especially in all towns, cities, or counties where the republicau party have a majority. Lawrence is the hot-bed of all the movements in this Territory. It is the town established by the abolition societies of the East, and whilst there are respectable people to a popular vote; but they did submit the question whether there, it is filled by a considerable number of mercenaries who are paid by abolition societies to perpetuate and diffuse agitation throughout Kansas, and prevent a peaceful settleuent of this question. Having failed in inducing their own so-called Topeka State legislature to organize this insurrection, Lawrence has commenced it berself, and, if not arrested, the rebellion will extend throughout the Territory.' mediately by mail. I must close by assuring you that the

party of this Territory, instigated, as I entertain no doubt disasterous to the government and to the Union; and that the continued presence of Gen. Harney here is indispensable, as originally stipulated by me, with a large body of dragoons

On the 20th July, 1857, Gen. Lane, under the authority the Topeka convention, as Governor Walker informs us, "to organize the whole so-called free-State party into volunteers, and to take the names of all who refuse enrollment .-The professed object is to protect the polls, at the election in August, of the new insurgent Topeka State legislature. "The object of taking the names of all who refuse enroll-

men by Topekaites. The speedy location of large bodies of regular troops here, with two batteries, is necessary. The Lawrence insurgents await the development of this new revolutionary military organization," &c., &c. In the governor's despatch of July 27th, he says that Gen. Lane and his staff everywhere deny the authority of

the territorial laws, and counsel a total disregard of these Without making further questions of a similar character from other despatches of Gov. Walker, it appears by a reference to Mr. Stanton's communication to Gen. Cass, of the 9th December last, that the "important step of calling the legislature together was taken after I [he] had become satisfied that the election ordered by the convention on the 21st instant could not be conducted without collison and bloodshed." So intense was the distoyal feeling among the enemies of the government established by Congress, that an election which afforded them an opportunity, if in the ma-

own professed desire, could not be conducted without collision and bloodshed The truth is, that, up till the present moment, the enemies of the existing government still adhere to their Topeka revolutionary constitution and government. The very first paragraph of the message of Gov. Robinson, dated on the 7th December to the Topeka legislature now assembled at Lawrence, contains an open violation of the constitution and laws of the United States. The governor says: "The convention which framed the constitution at Topeka originated with the people of Kansas Territory. They have adopted and rati-2 43 | fied the same twice by a direct vote, and also indirectly thro' two elections of State officers and members of the State le

gislature. Yet it has pleased the administration to regard the whole proceeding revolutionary. This Topeka government, adhered to with such treasona-

would destroy all lawful authority and produce universal From this statement of facts, the reason becomes palpa ble why the enemies of the government authorized by Congress have refused to vote for delegates to the Kansas constitutional convention, and also afterwards on the question of slavery submitted by it to the people. It is because they have ever refused to sanction or recognise any other institu-

tion than that framed at Topcka. Had the whole Lecompton constitution been submitted to the people, the adherents of this organization would doubtless have voted against it, because, if successful, they would thus have removed an obstacle out of the way of their own upon a consideration of the merits of the whole or any part ever resisted the authority of the government authorized by Congress, from which it emanated

Such being the unfortunate condition of affairs in the Territory, what was the right as well as the duty of the lawbiding people? Were they silently and patiently to submit law of Congress? That this law recognized the right of the people of the

Territory, without any enabling act from Congress, to form a State constitution, is too clear for argument. For Confrom Robeson county, and Mr. John Westley Sikes, of gress "to leave the people of the Territory perfectly free," in framing their constitution, "to form and regulate their ongress might prescribe.

with more regularity in the formation of a constitution than its immediate admission into the Union, as well as the disasters number of coolies. The latter, it appears, for some the people of Kansas have done. It was necessary, first, to which may follow its rejection. Domestic peace will be haplieved from their territorial dependence and establish a State has hitherto been torn by dissensions, will rapidly increase in the Territory upon the expediency of calling a convention to form a State constitution' at the general election to be held in October, 1856. The "sense of the people" was achieved the majority of them desire to abolish domestic slavery within in boats and others in the water. After they fled, they were fired upon again, and another negro was wounded government did not vote, because they were then engaged at Topeka, without the slightest pretext of lawful authority, in framing a constitution of their own for the purpose o

In pursuance of this decision of the people in favor of a convention, the territorial legislature, on the 27th day of June, the day of the election, who was a citizen of the United or Territories with the freedom and fairness of the election, The Warrenton News, now a weekly paper, comes to Sikes, John Rozier, Neill McLain, Riley Purnell, Alfred provisions was made for the registry of the qualified voters; whole duty in urging all the qualified citizens of Kansas to vote at this election. In his inaugural address, on the 27th liminary act of framing a State constitution is uniformly per-formed through the instrumentality of a convention of dele-The negroes fought bravely, but shot badly. None gates chosen by the people themselves. That convention is of the whites were wounded. Major fired after he tell and died without yielding.

On Christmas day these fellows, with a drum, came out of the swamp and had a regular drill and review.—

gates chosen by the people themselves. That convention is now about to be elected by you under the call of the territorial legislature, created and still recognized by the anthority of Congress, and clothed by it, in the comprehensive language of the organic law, with full power to make such an enactment. The territorial legislature, then, in assembling this convention, were fully sustained by the act of Congress, and the authority of the convention is now about to be elected by you under the call of the territorial legislature, the convention is now about to be elected by you under the call of the territorial legislature, the comprehensive language of the organic law, with full power to make such an enactment. The territorial legislature, then, in assembling this convention, were fully sustained by the act of Congress, and the authority of the convention is now about to be elected by you under the call of the territorial legislature, the comprehensive language of the organic law, with full power to make such an enactment. The territorial legislature, then, in assembling this convention, were fully sustained by the act of Congress, and the convention is now about to be elected by you under the call of the territorial legislature, ereated and still recognized by the authority of Congress, and clothed by it, in the comprehensive language of the organic law, with full power to make such an enactment. The Cheraw Gazette states that George Davis, My informant, who was one of the company, states that in my instructions from the President of the United States."

by the act of the majority of those who do vote, as if all had can foretell the consequences. participated in the election. Otherwise, as voting must be

It may also be observed, that at this period any hope, if be recognised by Congress, must have been abandoned.-Congress had adjourned on the 3d March previous, having recognised the legal existence of the territorial legislature in a variety of forms which I need not enumerate. Indeed, the delegate elected to the House of Representatives, under When we speak of the affairs of Kansas, we are apt to refer a territorial law, had been admitted to his seat, and had just | slavery agitation, at least in Congress, which had for more completed his term of service on the day previous to my in- than twenty years convulsed the country and endangered

> in Kansas. This was the time for abandoning the revolutionary Topeka organization, and for the enemies of the exits friends in framing a State constitution. But this they refused to do, and the consequences of their refusal to submit yet prove to be of a most deplorable character. Would that the respect for the laws of the land which so eminently distinguished the men of the past generation could be revived! kept the territory of Kansas in a state of almost open rebelas a nation. We acknowledge no master but the law; and revival of the slavery agitation. what seemeth good in his own eyes, our case will indeed be

The enemies of the territorial government determined still to resist the authority of Congress. They refuse to vote for constitution and laws, for this very reason the rejection of delegates to the convention not because, from circumstanter the comparatively few voters who were inhabitants of certain counties in Kansas in the early spring of 1857, but because they had predetermined at all hazards to adhere to would restore peace and quiet to the whole country. Altheir revolutionary organization, and defeat the establish- ready this affairs of the Territory have engrossed an undue ment of any other constitution than that which they had framed at Topeka. The election was, therefore, suffered to pass by default; but of this result the qualified electors who other, and alarmed the fears of patriots for the safety of the refused to vote, can never justly complain.

ment becomes localized, and will soon die away for want of From this review, it is manifest that the Lecompton conention according to every principle of constitutional law, was legally constituted and was invested with power to ballot-box.

voked in favor of the enemies of law and order in Kansas .- from Kansas, and employ them on branches of service But in what manner is popular sovereignty to be exercised where they are much needed. They have been kept there, in this country, if not through the instrumentality of estab- on the earnest importunity of Gov. Walker, to maintain the lished law? In certain small republics of ancient times the existence of the territorial government and secure the exepeople did assemble in primary meetings, passed laws, and cution of the laws. He considered that at least two thous directed public affairs. In our country impossible. Popular sovereignty can be exercised here only through the ballot-box; and if the people will refuse to ex-

ercise it in this manner, as they have done in Kansas at the fere with the expedition to Utah, in order to keep down election of delgates, it is not for them to complain that rebellion in Kansas. This has involved a very heavy extheir rights have been violated. The Kansas convention, thus lawfully constituted, proceed ed to frame a constitution, and having completed their work, finally adjourned on the 7th day of

Kansas should be a free or a slave State, to the people,-

shaken it to its very centre. This was the question which and to live in the affections and respect of my countrymen. had lighted up the flames of civil war in Kansas, and had The dark and ominous clouds which now appear to be improduced dangerous sectional parties throughout the confederacy. It was of a character so paramount in respect to the dissipated with honor to every portion of it, by the admiscondition of Kansas, as to rivet the anxious attention of the sion of Kansas during the present session of Congress son thought of any other question. For my own part, when | will become darker and nore ominous than any which have spirit of rebellion prevades the great mass of the republican I instructed Governor Walker, in general terms, in favor of ever yet threatened the constitution and the Union. submitting the constitution to the people, I had no object in they are, by eastern societies, having in view results most view except the all-absorbing question of slavery. In what manner the people of Kansas might regulate their other concerns, was not a subject which attracted any attention. In fact, the general provisions of our recent State constitutions, after an experience of eighty years, are so similar and so ex- the Court House on Tuesday evening, Feb. 2d, pursuant cellent, that it would be difficult to go far wrong at the pre-

I then believed, and still believe, that, under the organic

sent day in framing a new constitution

act, the Kansas convention were bound to submit this allimportant question of slavery to the people. It was never. however, my opinion that, independently of this act, they would have been bound to submit any portion of the constitution to a popular vote, in order to give it validity. Had I entertained such an opinion, this would have been in opposition to many precedents in our history, commencing in the very best age of the republic. It would have been in opposition to the principle which pervades our institutions, and which is every day carried out into practice, that the people themselves, their sovereign power to frame constitutions requiring that these should be subjected to their subsequent approbation. It would be a most inconvenient limitation of their own power, imposed by the people upon themselves. to exclude them from exercising their sovereignty in any lawful manner they think proper. It is true that the people of Kansas might, if they had pleased, have required the convention to submit the constitution to a popular vote; but this they have not done. The only remedy, therefore, in this case, is that which exists in all other similar cases. If the delegates who framed the Kansas constitution have any manner violated the will of their constituents, the people always possess the power to change their constitution

jority, of making Kansas a free State, according to their or their laws, according to their own pleasure. The question of slavery was submitted to an election the people of Kansas on the 21st of December last, in obedience to the mandate of the constitution. Here again, a fair opportunity was presented to the adherents of the Topeka constitution, if they were the majority, to decide this exciting question "in their own way," and thus restore peace to the distracted Territory; but they again refused to exercise their right of popular sovereignty, and again suffered the election to pass by default. I heartily rejoice that a wiser and better spirit prevailed

among a large majority of these people on the first Monday of January; and that they did, on that day, vote under the Lecompton constitution for a governor and other State offiers, a member of Congress, and for members of the legisla ture. This election was warmly contested by the parties, ble pertinacity, is a government in direct opposition to the and a larger vote was polled than at any previous election existing government prescribed and recognised by Congress. in the territory. We may now reasonably hope that the re-It is a usurpation of the same character as it would be for a volutionary Topeka organization will be speedily and finally portion of the people of any State of the Union to undertake abandoned, and this will go far towards the final settlement to establish a separate government, within its limits, for the of the unhappy differences in Kansas. If frauds have been purpose of redressing any grievance, real or imaginary, of committed at this election, either by one or both parties. which they might complain, against the legitimate State government. Such a principal, if carried into execution, stitution, will know how to redress themselves and punish stitution, will know how to redress themselves and punish these detestable but too common crimes without any outside

interference. The people of Kansas have, then, "in their own way, and in strict accordance with the organic act, framed a constitution and State government; have submitted the all-im portant question of slavery to the people, and have elected a governor, a member to represent them in Congress, members of the State legislature, and other State officers. They feeling. now ask admission into the Union under this constitution. which is republican in its form. It is for Congress to decide whether they will admit or reject the State which has thus been created. For my own part, I am decidedly in favor of its admission, and thus terminating the Kansas question .-This will carry out the great principle of non-intervention recognised and sanctioned by the organic act, which declares in express language in favor of "non-intervention by Congress with slavery in the States or Territories," leaving "the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States." In this manner, by localizing the question of slavery, and confining it to the people of Congress, where it has always exerted a baleful influence throughout the whole country.

It is proper that I should briefly refer to the election held under an act of the territorial legislature, on the first Monday of January last, on the Lecompton constitution. This election was held after the Territory had been prepared for domestic institutions in their own way, subject only to the admission into the Union as a sovereign State, and when no authority existed in the territorial legislature which could shall not be permitted to proceed and frame a constitution possibly destroy its existence or change its character .cost half a million of dollars, and she is not affoat yet. having heard beforehand that an attempt would be much more plausible to contend that Congress had jority of the persons who voted against the Lecompton When she is affoat she cannot enter the harbors of the on that day to storm their camp, they hid themselves in no power to pass such an enabling act, than to argue that constitution, were at the very same time and place recogleading commercial ports of the world. New York is ambush along the path leading into the swamp, and as the people of a Territory might be kept out of the Union for nising its valid existence in the most solemn and authentic closed against her—so is Liverpool and Havre. Should she ever get out of order, she must stay so, for there is the others of the party, entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party, entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party, entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party, entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party, entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she ever get out of order, she must stay so, for there is the others of the party entered the swamp, some six or she are the control of the party entered the swamp, and an indefinite period, and until it might please Congress to make the control of the control of the control of the party entered the swamp, and an indefinite period, and until it might please Congress to make the control of the cont tained, it may be wise to reflect upon the benefits to clipper ship Kate Hooper, Captain Jackson, (of Balti-Kansas and to the whole country which would result from more,) bound from Hong Kong to Havana, with a large

by consequence of its admission, and that fine Territory, which

majority of them desire to abolish domestic slavery within the State, there is no other possible mode by which this can be effected so speedily as by prompt admission. The will of the majority is supreme and irresistible when expressed in an orderly and lawful manner. They can make and unmake constitutions at pleasure. It would be absurd to say that they can impose fetters upon their own power which they cannot afterwards remove. If they could do this they might convention, the territorial legislature, on the 27th day of February, 1857, passed an act for the election of delegates on the 3d Monday of June, 1857, to frame a State constitution. This law is as fair in its provisions as any that ever passed a legislative body for a similar purpose. The right of suffrage at this election is clearly and justly defined. "Every bona fide inhabitant of the Territory of Kansas" on the third Monday of Incomplete their own hands for a hundred as well as for ten years.—

These are fundamental principles of American freedom, and are recognised, I believe, in some form or other, by every State constitution; and if Congress, in the act of admission, should think proper to recognise them, I can perceive no objection to such a course. This has been done emphatically in the constitution of Kansas. It declares the part of the United State Constitution of th rights that "all political power is inherent in the people, and States above the age of twenty-one, and had resided therein all free governments are founded on their authority and infor three months previous to that date, was entitled to vote. stituted for their benefit, and therefore they have at all times In order to avoid all interference from neighboring States an inalicnable and indefeasible right to alter, reform, or abolish their form of government in such manner as they may think proper." The great State of New York is at this moment governed under a constitution framed and established in direct opposition to the mode prescribed by the perevious constitution. If, therefore, the provision changing the Kansas constitution, after the year one thousand eight hunered and sixty-four, could by possibility be construed into a prohibition to make such a change previous to that period, this prohibition would be wholly unavailing. The egislature already elected may, at its very first session, sub-

and the authority of the Convention is distinctly recognised in my instructions from the President of the United States."

The governor also clearly and distinctly warns them what would be the consequences if they should not participate in the election. "The people of Kansas, then, (he says,) are invited by the highest authority known to the says,) are invited by the highest authority known to the says, and the constitution of the United States. Kansas is, therefore, at this moment as much a slave State as Georgia authority of the board, and many similar transactions. The report recommends an assignment, and resolutions to that effect were considered, but action thereon was postponed till next week.

constitution to participate, freely and fairly, in the election of delegates to frame a constitution and State government. eracy. Slavery, therefore, can never be prohibited in Kan-The law has performed its entire appropriate function when sas except by means of a constitutional provision, and in no it extends to the people the right of suffrage, but it cannot compel the performance of that duty. Throughout our whole Union, however, and wherever free government preder its present constitution.

vails, those who abstain from the exercise of the right of suffrage, authorize those who do vote to act for them in that contingency; and the absentees are as much bound, under the idea of affording the disaffected in Kansas a third opportunity of prohibiting slavery in the State, which the law and constitution, where there is no fraud or violence, they might have done twice before if in the majority, no man

If Congress, for the sake of those men who refused to voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative excluded slavery from the constitution, and who afterwards excluded slavery from the constitution, and who afterwards refused to vote on the 21st December last, when they might, as they claim, have stricken slavery from the constitution such had existed, that the Topeka constitution would ever should now reject the State because slavery remains in the constitution, it is manifest that the agitation upon this dangerous subject will be renewed in a more alarming form than it has ever yet assumed.

Every patriot in the country had indulged the hope that the Kansas and Nebraska act would put a final end to the the Union. This act involved great and fundamental princi This was the propitious moment for settling all difficulties ples, and if fairly carried into effect will settle the question Should the agitation be again revived, should the people o the sister States be again estranged from each other with isting government to conform to the laws, and to unite with more than their former bitterness, this will arise from a cause, so far as the interests of Kansas are concerned, more trifling and insignificant than has ever stirred the elements to lawful authority and vote at the election of delegates, may of a great people into commotion. To the people of Kansas, the only practical difference between adn jection, depends simply upon the fact whether they can themselves more spedily change the present constitution is It is a disregard and violation of law which have for years it does not accord with the will of the majority, or frame a second constitution to be submitted to Congress hereafter. lion against its government. It is the same spirit which has Even if this were a question of more expediency, and not of produced actual rebellion in Utah. Our only safety consists | right, the small difference of time, one way or the other, is in obedience and conformity to law. Should a general spir- of not the least importance when contrasted with the evils t against its enforcement prevail, this will prove fatal to us | which must necessarily result to the whole country from a

> In considering this question, it should never be forgotten that, in proportion to its insignificance, let the decision be what it may, so far as it may affect the few thousand inhabitants of Kansas who have from the beginning resisted the the constitution will be so much the more keenly felt by the people of fourteen of the States of the Union, where slavery recognised under the constitution of the United States. Again: The speedy admission of Kansas into the Union proportion of public attention. They have sadly affected the friendly relations of the people of the States with each

> outside aliment. Then every difficulty will be settled at the Besides-and this is no trifling consideration-I shall then be enabled to withdraw the troops of the United States and regular troops, under the command of Gen. Harney were necessary for this purpose. Acting upon his reliable information, I have been obliged, in some degree, to interpense to the government. Kansas once admitted, it is

Union. Kansas once admitted into the Union, the excite-

believed there will no longer be any occasion there for troops of the United States. I have thus performed my duty on this important question, under a deep sense of responsibility to God and my country. My public life will terminate within a brief period; and I have no other object of earthly ambition than This was the question which had convulsed the Union and to leave my country in a peaceful and prosperous condition, pending over the Union, I conscientiously believe may be JAMES BUCHANAN.

WASHINGTON, February 2, 1858.

For the Journal. At a meeting of the citizens of Wilmington, held at to a call from the Mayor, to consider the feasibility of celebrating the Battle of Moore's Creek Bridge, Col. Jno. McRae was called to the Chair, and F. D. Poisson appointed Secretary. After some remarks, the following resolution, moved by Jas. Fulton, Esq., was unanimously adopted:

Resolved, That, under existing circumstances, we deem it inexpedient for this meeting to take any measures for the celebration of the approaching anniversary of the Battle of Moore's Creek Bridge, but recommend that the whole matter of celebration be postponed until such time as the Committee on the Monument may be prepared to report some definite progress towards the accomplishment of the object for which they were appointed; and that the gentlemen composing that Committee be respectfully urged to do so at the earliest practicable time.

On motion, the meeting adjourned. JNO. McRAE, Chairman.

F. D. Poisson, Secretary. For the Journal. The Large Hogs of Sampson. Messrs. Editors: At the late Sampson Fair, there were

three very large hogs, the weight of which was much disputed by many who examined them. Below you will find the weight of each hog: Mr. C. T. Stevens' weighed......5\$7 pounds 

Mr. Williamson also killed six hogs, weighing in the aggregate 2101 lbs. These were certainly very respectable hogs, and will be hard to beat.

Yours respectfully.

Private Havre and Manchester Advices. Boston, January 30th.—The following is an extract f a letter received per Canada, and dated

"Manchester, Jan. 15, 1858.—Discounts were reduced on Thursday to 5 per cent., against I0 per cent. three weeks since. Trade here continues very quiet, there being no anxiety to secure goods. We must walk before we run. The fact is, many are cleared out, and we shall not get round till March. Shipments of produce from various distant markets have to be provided for with a loss of 30 to 40 per cent.' Annexed is an extract of a letter dated

" Havre, January 14th.—The cotton market is easier his week, with only a moderate inquiry. Ordinary Orleans 92a93f., closing with a depressed and irregular

" Lard is more inquired for."

Superior Courts.—The Special Court for this councommences its session to-day, Judge Manly presiding. he session will probably continue for two weeks. The Courts for this Circuit will commence on Monlay, the 22d inst., and will be held as follows:

Moore, Monday, February 15. Montgomery, Stanly, Anson, Richmond, 15. Robeson, Bladen, 29. Columbus, Brunswick. New Hanover, 19. (2 weeks.) Sampson, Cumberland. Harnett, Fryetteville Observer, 1st inst.

Mutiny on Board the Ship Kate Hooper, of Balti-Boston, Jan. 29.—Letters received in this city by the steamer Canada, dated Angier, Nov. 22, report that

a very serious mutiny had occurred on board the fine cause, broke out into mutiny, and at one time got possession of the lower deck, and three times set the ship on population and wealth, and speedily realize the blessings and fire. Captain Jackson and his officers, however, by their the comforts which follow in the train of agricultural and determined action, finally overpowered the mutineers and suppressed the flames, but not until they were compelled to shoot some fifty of the ringleaders.

St. Louis, Jan. 29 .- Dates from Utah to the 14th of December have been received. The troops were making themselves comfortable and enjoyed good health .-Capt. Bee, commanding the volunteers, was drilling them for future usefulness. There were no signs of snow east of Fort Laramie, but plenty of grass and buffaloes Advices from Santa Fe of an unimportant character

have been received. Resolutions had been adopted at a public meeting thanking Secretaries Floyd and Brown for official actions affecting the interests of the Territory. Depredations by the Apache and other Indian tribes are reported.

Further from Rio.

NEW ORLEANS, Jan. 29 .- The dates from Rio by the Snow Squall are to the 22d ult. The stock of coffee on hand was estimated at 400,000 sacks. Superior ranged from 4||500 to 4||700 reis. The Bank of Pennsylvania.

PHILADELPHIA, Feb. 1.—The stockholders of the Bank of Pennsylvania held a meeting here this aftermit the question to a vote of the people whether they will or will not have a convention to amend their constitution, and adopt all necessary means for giving effect to the popular from President Allibone and his brother, \$120,000, of noon. From the report it appears that the institution which \$12,000 was discounted by the directory. [Allibone volunteers this debt.] Also notes of the Hemp-It has been solemnly adjudged by the highest judicial tri-bunal known to our laws, that slavery exists in Kansas by virtue of the constitution of the United States. Kansas is, field railroad for \$208,000 or \$209,000, loaned without